

**MINUTES**  
**GENERAL ISSUES COMMITTEE MEETING**  
**TEXAS BOARD OF PROFESSIONAL ENGINEERS**  
**1917 IH-35 SOUTH, BOARD ROOM, AUSTIN, TX**  
**November 17, 2011 – 9:30 A.M.**

**Call to Order.** Committee Chair Daniel Wong, Ph.D., P.E., called the General Issues Committee meeting to order at 9:38 a.m. on November 17, 2011, at the Texas Board of Professional Engineers (TBPE), 1917 Interstate 35 South, Austin, Texas. (**Note: All votes are unanimous unless otherwise indicated.**)

1. Roll call and welcome visitors.

Daniel Wong, Ph.D., P.E.	Chair
Carry A. Baker	Member
Bobby Balli, P.E.	Member

Ms Veena Mohan, Assistant Attorney General, was present to provide legal counsel. Mr. Edmundo Gonzalez, P.E., Emeritus Board member, was present.

The following staff members were present:

Lance Kinney, P.E.	Executive Director
Priscilla Pipho, MPA	Deputy Executive Director
David Howell, P.E.	Director of Licensing
Dewey Helmcamp, III, JD	Staff Attorney
Dorothy Gonzales	Executive Assistant

**Visitors.** Al Kosik, P.E., Texas Department of Transportation (TxDOT); Trish Smith, Texas Society of Professional Engineers (TSPE) Executive Director; Peyton McKnight, American Council of Engineering Companies - Texas (ACEC); Doug Bell, P.E., TSPE; Sam Nelson, P.E., Texas Department of Insurance (TDI); Alexis Dick-Paclik, TDI, Director of Inspections, Stephanie Stanford, TSPE; Jennifer McEwan, TSPE; Harvey Cappel, P.E.

2. Public comment. None.

**DISCUSS AND POSSIBLY ACT ON THE FOLLOWING (AGENDA ITEMS 3-7):**

3. Discuss and possibly approve the August 18, 2011, General Issues Committee Minutes.

It was MOVED/SECONDED (Balli/Baker) to approve the August 18, 2011, General Issues Committee Minutes as presented. A vote was taken and the MOTION PASSED.

4. Update on TDI meetings regarding Texas Windstorm Inspectors.

Mr. Kinney reported that TBPE and TDI staff has been working together to implement HB3. Outreach is being coordinated as well as processes regarding windstorm regulations. Dr. Wong thanked TDI for working closely with TBPE in making this a smooth process. Mr. Kinney added that the general processes is that currently a person that wants to be a windstorm inspector applies directly to TDI. The new provision is that the Board will create a roster of licensed engineers that are qualified to be windstorm designers. If, in the future, a person on the roster would like to become a windstorm inspector, they will have to apply with TDI. TDI will refer to the roster when someone applies for windstorm inspector appointment. The rules proposed on this agenda address how a licensed engineer may get on the new TBPE roster. The rule also clarifies the jurisdiction between the two Boards regarding enforcement.

Mr. Cappel asked to speak from the audience. He stated that he is in favor of TDI having a better qualification process. His concern is that the Board is now having special certifications. He knows that the Board must do

as directed by HB3. Mr. Kinney responded that no new certification or license is being given. The process is reviewing the qualifications of a licensed engineer as a qualified windstorm designer.

5. Discuss and possibly act on the following rule adoption.

- §131.15—Committees—This rule change repeals the section requiring the Joint Advisory Committee (JAC) as required by HB2284. No comments were received.

It was MOVED/SECONDED (Baker/Ballí) to recommend to the Board at its Regular Quarterly Board meeting on November 17, 2011, to adopt §131.15, Committees, as posted. A vote was taken and the MOTION PASSED.

- §137.19—Engineers Qualified to be Texas Windstorm Inspectors. This is a new rule that is required as mentioned in HB3 regarding windstorm inspectors. The rule was posted in the Texas Register for comment and numerous comments were received. All the comments have been responded to and a webpage including a Frequently Asked Questions (FAQ) document was created. The comments are also addressed in the preamble of the rule.

Mr. Cappel asked what happens to the engineers that are already on the current TDI inspector list. Mr. Kinney commented that the current rule adoption only contemplates who qualifies to be on the TBPE roster. It does not change anything that is currently in place by TDI. Ms. Dick-Paolik added that TDI will be drafting rules that will allow currently appointed engineers to stay on the appointed list until a certain date at which time they must be on the TBPE roster and apply to get on TDI appointed inspector list. TDI is tentatively looking at August 31, 2012, to be the date in which the new windstorm inspector rules will apply. In the meantime, the current appointed inspector list will still be used. Mr. Ballí commended staff from both Boards on a well thought out process and good team work on this issue.

It was MOVED/SECONDED (Ballí/Baker) to recommend to the Board at its Regular Board meeting on November 17, 2011, to adopt §137.19, Engineers Qualified to be Windstorm Inspectors, as presented to the Board. A vote was taken and the MOTION PASSED.

Dr. Wong thanked the staff from TDI for working closely with TBPE staff to make this transition simple for the profession.

6. Update on Sunset Review.

Ms. Pipho reported that the Sunset Review Self-Evaluation was submitted to the Sunset Commission. The tentative review is scheduled for late June 2012. In the meantime, everyone is working diligently to prepare for the review.

7. Issues for consideration and schedule next meeting.  
None.

**Adjourn.**

It was MOVED/SECONDED (Ballí/Baker) to adjourn the meeting at 9:58 am. A vote was taken, and the MOTION PASSED.

Date Committee approved as submitted:  
Date Board accepted:

February 15, 2012  
February 15, 2012